

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Civ. No. 16-cv-00832-MV-KBM

ACOMA CEREMONIAL SHIELD,
MORE PARTICULARLY DESCRIBED AS:
LOT #68 “BOUCLIER DE GUERRE PUEBLO
PROBABLEMENT ACOMA OU JEMEZ XIX SIÈCLE OU
PLUS ANCIEN CUIR.”

Defendant-in-rem.

APPLICATION FOR WARRANT OF ARREST *IN REM*

The United States of America, through its counsel, respectfully requests that this Court issue a Warrant of Arrest in Rem pursuant to Rule G(3)(b)(ii) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions. The grounds for this application are as follows:

1. On July 20, 2016, the United States filed a Verified Complaint for Forfeiture *In Rem* in the above-captioned case. The complaint seeks the forfeiture of an Acoma Ceremonial Shield, more particularly described as: Lot #68 “BOUCLIER DE GUERRE PUEBLO PROBABLEMENT ACOMA OU JEMEZ XIX SIÈCLE OU PLUS ANCIEN CUIR.” (hereafter referred to as “Defendant Property”).

2. The Defendant Property is not presently in the possession, custody or control of the United States and is not presently subject to any judicial restraining order.

3. Supplemental Rule G(3)(b)(ii) provides that if property is subject to forfeiture in a civil forfeiture case, and the property is not in the Government’s possession, custody or control and is

not subject to a judicial restraining order, the Court, on a finding of probable cause, must issue a warrant to arrest the property.

4. The facts supporting a finding of probable cause to believe that the Defendant Property is subject to forfeiture are set forth in the Verified Complaint, Doc. 1.

WHEREFORE, the United States respectfully requests that the Court find that there is probable cause to believe that the defendant property is subject to forfeiture, and issue the proposed Warrant of Arrest *In Rem* directing the United States Marshals Service and/or any other United States officer or employee or person under contract with the United States, to seize the Defendant Property.

Respectfully submitted,

DAMON P. MARTINEZ
United States Attorney

Electronically Filed on July 25, 2016

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I HEREBY CERTIFY that I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system.

Electronically Filed
Stephen R. Kotz
Assistant U.S. Attorney